

Division on Civil Rights

The Division on Civil Rights is responsible for enforcing the New Jersey Law Against Discrimination (LAD) and the Family Leave Act (FLA). The two laws were enacted to discourage discrimination in the workplace, in housing, and in public accommodations. The Division investigates allegations of discrimination, and serves as a fair and impartial forum for the airing of formal complaints. In a broader sense, the Division's mission is to foster sensitivity, acceptance and respect among all individuals. For additional information visit the Division Web site www.NJCivilRights.org.

Highlights

❖ **New Disability/Public Accommodations Unit —**

In September 2003, the Division on Civil Rights created a new Disabilities/Public Accommodations Special Investigations Unit. More than 1.3 million people with disabilities reside in New Jersey. Ensuring that they have unfettered access to public accommodations is the chief focus of the new unit.

❖ **Expanded Housing Initiatives —**

In an effort to more effectively identify and prosecute patterns and practices of housing discrimination, the Division established its Housing/Multiple Dwelling Reporting Rule (MDRR) Special Investigations Unit. The unit is staffed by specially trained housing investigators and attorneys, and conducts large-scale, aggressive initiatives involving the use of housing testers.

❖ **Movie Theater Initiative —**

In September 2004, the Division on Civil Rights joined with Attorney General Harvey in suing Tennessee-based Regal Cinemas for failing to reasonably accommodate the deaf and hard of hearing by installing new "closed" captioning equipment at its multiplex theaters in New Jersey. The Division reached settlement with four other theater chains in New Jersey — American Multi-Cinema, Loew's Cineplex Theaters, Clearview Cinemas and National Amusements — whereby each agreed to install new Rear Window® Captioning technology to enhance the movie-watching experience for those with hearing loss. AMC, Clearview and National Amusement also committed to installing new technology to better accommodate movie-goers who are blind or experience some degree of vision loss.



❖ **Outreach to Minorities, the Disabled —**

In October 2003, the Division and the Somerset County Cultural Diversity Coalition hosted a workshop attended by more than 45 leaders representing Sikhs, Hindus, Arabs, Chinese, Filipinos, Koreans and other Asian and Pacific-American groups. As a result, the Division has been working more closely with the Asian-American community to publicize civil rights cases involving Asians, and produce informational materials explaining laws against discrimination available in various languages.

In March 2004, the Division co-sponsored two public disability law forums — one in Camden County, one in Essex County — focused on the rights and concerns of those with hearing loss. The forums led directly to the deaf captioning Movie Theater Initiative.

In June 2004, the Division brought together attorneys, union representatives, civil rights advocates and local community leaders for a Hispanic Civil Rights Summit. The forum highlighted ways of raising awareness among the State's 1.1 million Hispanic residents.



From left to right: Phillip E. Freeman, Assistant Director; Aney K. Chandy, AAG, Division of Law; J. Frank Vespa-Papaleo, Director; Bear Atwood, Special Assistant to the Director; Gary LoCassio, Deputy Director.

Significant Cases

❖ **Section 8 Housing Discrimination** —

In 2004, the DCR settled “Section 8” housing discrimination cases filed against four New Jersey apartment owners and real estate agencies including: Atlantic Coast Realty, Garden State Realty, 599 Broadway Management and Clinton Manor Associates. The complaints were the first filed under a new State law that prohibits housing discrimination by landlords on the basis of a tenant’s source of lawful income, or rental subsidy. The first case to settle involved Atlantic Coast Realty, of Brigantine. The settlement called for Atlantic to fund a DCR-led training session on the LAD for approximately 1,000 realtors from three South Jersey counties, monitoring of Atlantic’s rental practices, and the prominent display of information on the use of federal Section 8 rental vouchers. The DCR subsequently announced settlements in the remaining three cases. Each settlement included an agreement by the Respondent to increase training and awareness. As a result of the four settlements, the Division was paid a total of \$80,000 in compensatory damages.

❖ **Caesars Atlantic City** —

The Division reached settlement in 2004 with Caesars regarding a Director’s complaint alleging that a hostile work environment existed at the casino-hotel. At issue were allegations that security personnel had, among other things, misused casino surveillance equipment to examine the anatomy of female patrons and casino workers. As part of the settlement, Caesars agreed to enhance its discrimination-related awareness and training efforts, implement a process to audit videotaping by surveillance personnel, and pay the Division \$95,000 in administrative costs.

❖ **Bias-Based Student Harassment** —

The Division’s Director found the Toms River school district liable in 2004 for the consistent bias-based harassment — and occasional physical assault — of a Toms River high school student by fellow students who perceived him to be homosexual.